BY CO

H.J.R.	72

A JOINT RESOLUTION

proposing an amendment to Article III. Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 65 to read as follows:

"Section 65. All other provisions of the Constitution not-withstanding, bonds issued pursuant to constitutional authority shall bear rates of interest in an amount not to exceed 6%. All Constitutional provisions setting rates in conflict with this provision are hereby repealed."

Section 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this state at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment to set an amount not to exceed 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority."



FORM A

(For favorable and unfavorable reports on bills and resolutions, where no committee amendments are recommended.)

COMMITTEE REPORT

Date 7 - 2 7 - 1,
HON. G. F. (GUS) MUTSCHER
Speaker of the House of Representatives.
Sir:
We, your Committee on Constitutional amendments, to whom was
referred \mathcal{Y} , \mathcal{J} , \mathcal{R} , No. \mathcal{S} 2 , have had the same under consideration
and beg to report back with recommendation that it \{ \do
The Bill was reported from Committee by the following vote: Unanimous voice vote Majority voice vote Vote ofayes andnays.
Vote ofayes andnays. Chairman.
(When this form is used for a favorable report on a general bill the words "do not" are marked out. If the bill is a local bill the word "not" should be inserted before the word "printed." When used for an unfavorable report the word "do" is marked out, the comma after "pass" is clanged to a period, and the remaining words also marked out.

When this form is used for a simple or concurrent resolution the comma after "pass" should be a changed to a period and the remaining words stricken out because resolutions are printed in the Journal when first introduced.)

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H. J. R. No. 82
1 By: Clayton
    (In the House. -- Filed March 11, 1971; March 16, 1971, Read first time
3 and referred to Committee on Constitutional Amendments: April 29, 1971,
4 Reported favorably by unanimous voice vote, sent to Printer.)
                       HOUSE JOINT RESOLUTION
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8 PROPOSING an amendment to Article III, Constitution of the
           State of Texas, by adding a new section which would
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           set an amount not to exceed 6% on rates of interest
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           to be borne by bonds issued pursuant to constitutional
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12
           authority.
13 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:
    Section 1. That Article III, Constitution of the State of Texas, be
15 amended by adding a new Section 65 to read as follows:
     "Section 65. All other provisions of the Constitution notwithstanding,
16
17 bonds issued pursuant to constitutional authority shall bear rates of
18 interest in an amount not to exceed 6%. All Constitutional provisions
19 setting rates in conflict with this provision are hereby repealed. "
   Section 2. The foregoing constitutional amendment shall be submitted
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21 to vote of the qualified electors of this state at the general election to
22 be held on the second Tuesday in November, 1972, at which election the
23 ballots shall be printed to provide for voting for or against the proposition:
24 "The constitutional amendment to set an amount not to exceed 6\% on rates
25 of interest to be borne by bonds issued pursuant to constitutional authority. "
26
                          COMMITTEE REPORT
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                                                          COMMITTEE ROOM
28
                                                  Austin, Texas, April 29, 1971
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30 Hon. G. F. (Gus) Mutscher, Speaker of the House of Representatives.
     SIR: We, your Committee on Constitutional Amendments, to whom was
32 referred H. J. R. No. 82, have had the same under consideration and beg
33 to report back with recommendation that it do pass, and be printed.
                                                   John A. Traeger, Chairman
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                             BILL ANALYSIS
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36 Background:
    The ceiling on the interest payable on bonds needs to be raised to compete
38 with other states' and cities' bonds.
39 Purpose:
    To raise the ceiling on interest payable on bonds.
41 Section by Section Analysis:
    Section 1. Creates a new Section 65 to Article III and sets a ceiling of
42
43 6% on all bonds issued pursuant to constitutional authority.
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     Section 2: Election clause.
45 Summary of Committee Action:
     Unanimous voice vote.
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al House Printing, 62nd. Leg. THIRD I H. J. R. No. 82 1 March 16, 1971, read first time (In the Nouse, 14 March 11, 19 3 and referred to Committee on Constitutional Amendments: April 29, 1971, 4 reported favorably, sent to Printer; May 3, 1971, printed, distributed and referred to Committee on Rules at 2:15 p.m.; May 18, 1971, read second time, amended and passed by the following vote: Yeas 132, Nays 1:) DOROTHY HALLMAN Chief Clerk, House of Representatives 8 May 18, 1971, Sent to Engrossing Clerk. 9 May 18, 1971, Engrossed. 10 OREA GUFFIN 11 Engrossing Clerk, House of Representatives 12 May 18, 1971, Returned from Engrossing Clerk, Sent to Senate. 13 14 May 18, 1971, Received from the House. (In the Senate. -- May 19, 1971, Read, referred to Committee on 15 16 Constitutional Amendments: May 21, 1971, reported favorably; May 26, 1971, regular order of business suspended by unanimous consent; May 26, 17 18 1971, read second time, amended, and passed to third reading; May 26, 19 1971, caption ordered amended to conform to body of bill; May 26, 1971, 20 Senate and Constitutional 3-Day Rules suspended by vote of 27 yeas, 1 nay 21 to place bill on third reading and final passage; May 26, 1971, read third 22 time and passed by 29 yeas, 1 nay.) CHARLES SCHNABEL 23 Secretary of the Senate 24 25 May 26, 1971, Returned to House. 26 May 26, 1971, Returned from Senate, as amended. DOROTHY HALLMAN 27 Chief Clerk, House of Representatives 28 29 May 26, 1971, Sent to Printer. 30 31 (Refer to SECOND PRINTING OF H. J. R. NO. 82 for the original text thereof.) 32 33 34 SENATE AMENDMENT NO. 1 35 Amend H. J. R. 82 by striking all below the resolving clause and 36 substituting in lieu thereof the following: 37 "Section 1. That Article III, Constitution of the State of Texas, be 38 39 amended by adding a new Section 65 to read as follows: "Section 65. All other provisions of the Constitution notwithstanding, 41 bonds issued pursuant to constitutional authority shall bear rates of interest 42 in an amount not to exceed 6% weighted average annual interest rate. All 43 Constitutional provisions setting rates in conflict with this provision are 44 hereby repealed. Should the Legislature enact any enabling laws in antici-45 pation of this amendment, no such law shall be void by reason of its 46 anticipatory nature. "This amendment shall become effective upon its adoption. 47 "Section 2. The foregoing constitutional amendment shall be submitted 48 49 to vote of the qualified electors of this state at the general election to 50 be held on the second Tuesday in November, 1972, at which election the 51 ballots shall be printed to provide for voting for or against the proposition: 52 'The constitutional amendment to set an amount not to exceed an average 53 annual weighted interest rate of 6% on rates of interest to be borne by 54 bonds issued pursuant to constitutional authority. " Kennard 55 56 May 26, 1971, Adopted.

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58 59 60 CHARLES SCHNABEL Secretary of the Senate

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SENATE AMENDMENT NO. 2
2
    Amend H. J. R. 82 by striking all above the resolving clause and
3
4 substituting in lieu thereof the following:
                         "A JOINT RESOLUTION
5
6 PROPOSING an amendment to Article III, Constitution of the State of Texas,
7 by adding a new section which would set an amount not to exceed 6% weighted
8 average annual interest rate to be borne by bonds issued pursuant to
9 constitutional authority, and providing that enabling legislation in
10 anticipation of the passage of this constitutional amendment shall not be
11 void by reason of its anticipatory nature."
                                                                      Kennard
12
13 May 26, 1971, Adopted.
                                                        CHARLES SCHNABEL
14
                                                        Secretary of the Senate
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                           COMMITTEE REPORT
2.1
                                                           COMMITTEE ROOM
22
                                                  Austin, Texas, May 21, 1971
2.3
24 Hon. Ben Barnes, President of the Senate.
     SIR: We, your Committee on Constitutional Amendments, to which was
26 referred H. J. R. No. 82, have had the same under consideration, and I
27 am instructed to report it back to the Senate with the recommendation that
28 it do pass and be printed.
                                                             Wilson, Chairman
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AMENDMENT NO.

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Amend House Joint Resolution No. 82, by striking all below the resolving clause and substituting the following:

Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 65 to read as follows:

"Section 65. Wherever in this Constitution there is a distinctly specified maximum rate of interest which is less than six percent per annum for any bonds issued pursuant to constitutional authority, each such specified maximum rate of interest is hereby increased to six percent per annum. This amendment is self-enacting and shall supersede all constitutional and statutory provisions to the contrary."

Sec. 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this state at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment increasing to six percent per annum all specified maximum interest rates on bonds issued pursuant to constitutional authority."

MAY 1 8 1971

DATE DAND ABORTON

Chief Clerk Hedderof Representatives

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AMENDMENT NO.

BY Ch

Amend House Joint Resolution No. 82, by striking all above the resolving clause and substituting the following:

A JOINT RESOLUTION

proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section increasing to six percent per annum all specified maximum interest rates on bonds issued pursuant to constitutional authority.

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CHIEF GLERK

By: Clayton H.J.R. No. 82

HOUSE JOINT RESOLUTION

proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section increasing to six percent per annum all specified maximum interest rates on bonds issued pursuant to constitutional authority.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III, Constitution of the State of

Texas, be amended by adding a new Section 65 to read as follows:

"Section 65. Wherever in this Constitution there is a distinctly specified maximum rate of interest which is less than six percent per annum for any bonds issued pursuant to constitutional authority, each such specified maximum rate of interest is hereby increased to six percent per annum. This amendment is selfenacting and shall supersede all constitutional and statutory provisions to the contrary."

Sec. 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this state at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition: "The constitutional amendment increasing to six percent per annum all specified maximum interest rates on bonds issued pursuant to constitutional authority."

	Austin, lexas	
	May 21	, 19 <u></u> 71
Hon. Ben Barnes President of the Senate		
Sir:		
We, your Committee on	ONSTITUTIONAL AMENDMENTS	
to which was referred H.J.R.	8. No. 82 , have had	the same
under consideration, and I am	n instructed to report it	back to
the Senate with the recommend	iation that it do	
pass	and be	printed.
	Wilson)
	Chairman	

HJR 82 By: Clayton

Resolution Analysis

BACKGROUND INFORMATION:

Various sections of the Texas Constitution authorize different bonds at varying rates of interest. For example, Article 3, Section 49-b authorizes the Veterans' Land Board to issue bonds at an annual interest rate not to exceed 4½%; Article 3, Section 49-c authorizes "Texas Water Development Bonds" at an annual interest rate not to exceed 4½; (changed by Constitutional Amendment May 18, 1971 to 6%) Article 3, Section 49-e authorizes "Texas Park Development Bonds" at an annual interest rate not to exceed 4½%; Article 3, Section 50b authorizes "Texas College Student Loan Bonds" at an annual interest rate not to exceed 4½%. As general interest rates rise, these bonds become less competitive with bonds of other states and less attractive to potential investors.

PURPOSE OF THE RESOLUTION:

To propose an amendment to Article 3 of the Texas Constitution by adding a new Section 65 which would raise the maximum allowable interest rate on State bonds to 6%.

SECTION BY SECTION SUMMARY:

Section 1: Proposes that a new Section 65 be added to Article 3 of the Texas Constitution, thereby raising the ceiling on interest rates for constitutionally authorized bonds to 6% per annum.

Section 2: The above proposed amendment shall be submitted to the electorate at the general election in November, 1972.

Amendment No.

By Kermand

-Por

Amend H.J.R. 82 by striking all velow the resolving clause and substituting in lieu thereof the following:

"Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 65 to read as follows:

"Section 65. All other provisions of the Constitution notwithstanding, bonds issued pursuant to constitutional authority shall bear rates of interest in an amount not to exceed 6% weighted average annual interest rate. All Constitutional provisions setting rates, in conflict with this provision are hereby repealed. Should the Legislature enect any enabling laws in anticipation of this amendment, no such law shall be void by reason of its anticipatory nature.

"This amendment shall become effective upon its adoption.

"Section 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this state at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition:

'The constitutional amendment to set an amount not to exceed an average annual weighted interest rate of 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.'

ADOPTED

MAY 26 1971

SECRETARY OF SENATE

Amendment No.

By Kennend

Amend H.J.R. 82 by striking all above the resolving clause and substituting in lieu thereof the following:

"A JOINT RESOLUTION

proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6° weighted average annual interest rate to be borne by bonds is sued pursuant to constitutional authority, and providing that enabling legislation in anticipation of the passage of this constitutional amentment shall not be void by reason of its anticipatory nature.

ADOPTED

MAY 26 1971

SECRETARY OF SENATE

CONFERENCE COMMITTEE REPORT

Austin, Texas
(Date)

THE HONORABLE BEN BARNES President of the Senate

THE HONORABLE G.F. "GUS" MUTSCHER
Speaker of the House of Representatives

SIRS:

We, your Conference Committee appointed to adjust the differences between the House and Senate on $\frac{1}{2}$ $\frac{1}{2}$, have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

adopted the Conference Committee Report on Half Bill No. 82 by a vote aves. noce.

Chief Clerk, House of Representatives

Respectfully submitted,

Jungmickel Wie richem

Wilay Desay

On the part of the House.

Semand Burnard

Herman Jarlan Broken

On the part of the Senate.

HOUSE JOINT RESOLUTION

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proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section increasing to six percent per annum all specified maximum interest rates on bonds issued pursuant to constitutional authority.

BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

Section 1. That Article III, Constitution of the State of Texas, be amended by adding a new Section 65 to read as follows:

"'Section 65. Where ever the Constitution authorizes an agency, instrumentality, or subdivision of the State to issue bonds and specifies the maximum rate of interest which may be paid on such bonds issued pursuant to such constitutional authority, such bonds may bear interest at rates not to exceed a weighted average annual interst rate of 6%. All Constitutional provisions specifically setting rates in conflict with this provision are hereby repealed.' This amendment shall become effective upon its adoption.

"Sec. 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this State at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition. "To set a six percent (6%) weighted average annual interest rate for bonds issued pursuant to constitutional authority presently having a specified interest ceiling.

Austin, Texas $\frac{5(28/7)}{(Date)}$

THE HONORABLE BEN BARNES President of the Senate

THE HONORABLE G.F. "GUS" MUTSCHER
Speaker of the House of Representatives

SIRS:

We, your Conference Committee appointed to adjust the differences between the House and Senate on $\cancel{\text{M.J.k.}}$. have met and adjusted our differences and beg leave to recommend that it be passed in the form attached hereto.

Respectfully submitted,

ADOPTED by a vote of

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SECRETARY OF SENATE

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On the part of the House.

MAY 2 8 1971

Received from the Senate

Chief Clerk, House of Representatives

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On the part of the Senate.

HOUSE JOINT RESOLUTION

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"Sec. 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this State at the general election to be held on the second Tuesday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition. "To set a six percent (6%) weighted average annual interest rate for bonds issued pursuant to constitutional authority presently having a specified interest ceiling.

HOUSE JOINT RESOLUTION

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"Section 65. Wherever the Constitution authorizes an agency, instrumentality, or subdivision of the State to issue bonds and specifies the maximum rate of interest which may be paid on such bonds issued pursuant to such constitutional authority, such bonds may bear interest at rates not to exceed a weighted average annual interest rate of 6%. All Constitutional provisions specifically setting rates in conflict with this provision are hereby repealed." This amendment shall become effective upon its adoption.

Sec. 2. The foregoing constitutional amendment shall be submitted to vote of the qualified electors of this State at the general election to be held on the first Tuesday after the first Monday in November, 1972, at which election the ballots shall be printed to provide for voting for or against the proposition:

"To set a six percent (6%) weighted average annual interest rate

for bonds issued pursuant to constitutional authority presently having a specified interest ceiling."

Lieutenant Governor President of the Senate Speaker of the House

I hereby certify that H.J.R. No. 82 was adopted by the House on May 18, 1971, by the following vote: Yeas 132, Nays 1; that the House refused to concur in Senate amendments to H.J.R. No. 82 on May 27, 1971, and requested the appointment of a Conference Committee to consider the differences between the two Houses; and that the House adopted the Conference Committee Report on H.J.R. No. 82 on May 31, 1971, by the following vote: Yeas 125, Nays 16.

Chief Clerk of the House

Il	hereby c	ertify t	hat H	.J.R.	No.	82 w	as ado	opted by	y the	
Senate, v	with ame	ndments,	on Ma	ay 26	, 19	71, b	y the	follow	ing vot	ce:
Yeas 29,	Nays 1;	at the	reque	st of	the	Hous	e, the	e Senat	e appoi	inted
a Confere	ence Com	unittee t	o con	sider	the	diff	erence	es betwe	een the	e two
Houses; a	and that	the Ser	ate a	dopte	d the	e Con	ferend	ce Comm	ittee 1	Report
on H.J.R.	. No. 82	on May	28, 19	971,	by t	he fo	llowir	ng vote	: Yeas	30,
Nays 0		**************************************								
					data numu	Secr	etary	of the	Senato	·
APPROVED:	:	Date				<u>3</u>	ECR. TAIN 15 F	огитов ст та З о г state o'cl 1 1971		
				_		***********	Secretar	y of State	*******	
		Governor	,							

The Honorable Martin Dies Secretary of State

I am hereby transmitting to the office of the Secretary of State, House Joint Resolution No. 82, 62nd Legislature, as of May 31st, 1971.

Enrolling and Engrossing Clerk House of Representatives

FILED IN THE COURCE OF THE SECRETARY OF STATE

JUN 1 1971

Secretary of State

BY_	Clayton
	()

H.J.R. 12

A JOINT RESOLUTION

proposing an amendment to Article III, Constitution of the State of Texas, by adding a new section which would set an amount not to exceed 6% on rates of interest to be borne by bonds issued pursuant to constitutional authority.

MAR 1 1 1971

MAR 16 1911

READ 1st TIME

AND REFERRED TO COMMITTEE ON

BUSH Factor of Surendment

Donatty & seeman

Chief Clerk, House of Representatives

APR 29 1071 REPORTED FAVORABLY SENT TO PRINTER







MAY 18 1971

READ SECOND

TIME AMENDED AND Passed by record vate of

Denouty Walleman

Chief Clerk, House of Representatives

MAY 1 8 1971

SENT TO ENGROSSING CLERK

PRINTED, DISTRIBUTED AND

RULES 2 13

MAY 3 1

_ (Date

By: Clayton

HOUSE JOINT RESOLUTION

of Texas annum al	, by adding a new section increasing to six percent per l specified maximum interest rates on bonds issued pur-constitutional authority.			
3-11-71	Filed.			
3-16-71	Read first time and referred to Committee on Constitutional Amendments.			
4-29-71	Reported favorably, sent to printer.			
5- 3-71	Printed, distributed and referred to Committee on Rules at 2:15 p.m			
<u>5-18-71</u>	Read second time, amended and passed by the following vote: Yeas 132, Nays 1. Dorothy Hallman Chief Clerk, H. of R.			
<u>5-18-71</u>	Sent to Engrossing Clerk			
5-18 - 71	Engrossed.			
	Engrossing Clerk, Af of R.			

MAY 1 8 1971 RETURNED FROM ENGROSSING CLERK SENT TO SENATE

MAY 1 8 197	Received from the House
MAY 1 9 1971	Received from the House Constitutional Amendments Read, referred to Committee on
MAY 21 1971	Reported favorably
	Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.
	Ordered not printed
MAY 26 1971	Regular order of business suspended by
	(unanimous consent.
	yeas, hays.
	To permit consideration, reading and passage, Senate and Constitutional Rules
MAV 90 1071	suspended by vote ofyeas,nays.
MAY 26 1971	Read second time Anual and passed to third reading.
MAY 26 19/1	_Caption ordered amended to conform to body of bill.
MAY 26 1971	Senate and Constitutional 3-Day Rules suspended by vote of 27 yeas,
MAY 26 1971	Read third time and passed by (a viva nece vote. [29] yeas,
OTHER ACTION:	Judge Johnabel.
	Secretary of the Senate RETURNED FROM SENATE
	anent
MAY 26 1971	Returned to HOUSE Chief Clerk, House of Representatives



RETURNED FROM PRINTER, JENT TO SPEAKER The House refused for concur in Senate amend-Bill No. 82 and has requested the appointment of a Conference Committee to consider the differences between the two Houses. The House has MAY 3 1 1971 adopted the Conference Committee Report by a vote

Chief Clerk, House of Representatives